



## City of Santa Barbara California

### STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** November 4, 2009  
**AGENDA DATE:** November 18, 2009  
**PROJECT ADDRESS:** 1660 Shoreline Drive (MST2009-00370)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *D/K*  
 Kelly Brodison, Assistant Planner *KAB*

#### I. PROJECT DESCRIPTION

The project consists of a 476 square foot one-story addition and a 772 square foot interior remodel for an existing 2,099 square foot one-story residence with an attached two-car garage on an 8,478 square foot lot in the Appealable Jurisdiction of the Coastal Zone.

#### II. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. A Modification to allow encroachments within the front setback (SBMC §28.15.060).
2. Coastal Development Permit (CDP2009-00012) to allow the proposed development, which is greater than 10% of the floor area within the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44); and

#### III. RECOMMENDATION

Upon approval of the required Modification, the proposed project would conform to the City's Zoning and Building Ordinances, General Plan and policies of the Local Coastal Plan. In addition, the size and massing of the project are consistent with the surrounding neighborhood. Therefore, Staff recommends that the Staff Hearing Officer approve the project, making the findings outlined in Section VII of this report, and subject to the conditions of approval in Exhibit A.

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1660 SHORELINE DRIVE (MST2009-00370)  
NOVEMBER 4, 2009  
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**APPLICATION DEEMED COMPLETE:**  
**DATE ACTION REQUIRED:**

October 22, 2009  
December 21, 2009

#### IV. SITE INFORMATION AND PROJECT STATISTICS

##### A. SITE INFORMATION

Applicant: Paul Zink	Property Owner: Craig & Kari Arcuri
Parcel Number: 045-172-023	Lot Area: 8,478 sq. ft.
General Plan: Residential – 5 units per acre	Zoning: E-3/SD-3
Existing Use: Single Family Residential	Topography: 12%
Adjacent Land Uses:	
North – Single-Family Residential South - Single-Family Residential	East - Single-Family Residential West - Single-Family Residential

##### A. PROJECT STATISTICS

	Existing (net)	Proposed (net)
Living Area	1,688 sf	476 sf addition
Garage	411 sf	411 sf
Total	2,099 sf	2,575 sq. ft.

##### B. PROPOSED LOT AREA COVERAGE

Building(gross):	2,680 sf	31.6%
Hardscape:	2,000 sf	23.6%
Landscape:	3,798 sf	44.8%
Total	8,478 sf	100.0%

##### C. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.39      Proposed FAR: 0.30      = 77.6% of Max. Allowed FAR

#### V. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/ Allowance	Existing	Proposed
Setbacks			15'-2" dining 16'-10" bedroom
-Front	20'	18'	
-Interior	6'	24'	6'
-Rear	6'	~16'	No Change
Building Height	30'	13'-6"	13'-3"
Parking	2 covered	2 covered	2 covered
FAR	3,319.5 sq. ft. 39%	2,099 sq. ft. 18%	2,575 sq. ft. 77.6%

Open Yard	1,250 sq. ft.	>1,250	>1,250 sq. ft.
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The proposed project would meet the requirements of the E-3 Zone, related to building height, solar access, open yard requirements and parking.

#### **A. MODIFICATION**

The modification consists of additions and changes to an existing legally non-conforming building within the front setback. The applicant is proposing 53 square feet of additions within the front setback along Shoreline Drive in the E-3 single family residence zone. Because the existing structure is legally non-conforming within the front yard setback and encroaches approximately seven feet, window changes would also require a modification. The proposed new encroachments consist of 17.4 square feet for a new dining room bay window and 25.4 square feet in the master bedroom. The proposal also includes enlarging the existing kitchen kitchen window as a bay window, relocating the existing hall window, and adding a new bedroom window. Per SBMC §28.15.060, the front yard setback is a minimum of twenty feet. In the E-3 zone, the front setback may be reduced by five feet where the average natural slope of the front half of a lot is greater than 20%. This lot does not qualify for this reduction, as the slope is 17.5%.

Staff is in support of the window changes and the new bay window in the dining room. This 17.4 square foot encroachment would allow a moderate expansion of the dining room without adding excessive square footage in the front yard.

Staff does not support the 35.4 square foot master bedroom encroachment because a more conforming addition could be designed, which would not require a modification.

## **VI. ISSUES**

#### **A. ENVIRONMENTAL REVIEW**

Staff has determined that the project qualifies for an exemption from further environmental review under Section 15301 (small additions to existing structures) of the California Environmental Quality Act (CEQA) Guidelines.

#### **B. COMPLIANCE WITH THE GENERAL PLAN AND LOCAL COASTAL PLAN**

##### **GENERAL PLAN CONSISTENCY**

The proposed project is located in the East Mesa neighborhood, as identified in the Land Use Element of the General Plan, and has a land use designation of Residential, five units per acre. This area is recognized as uniformly developed with small-lot, single-family residences with some multi-family developments in the vicinity of Oceano and Barranca Avenues. The new residence would remain consistent with the pattern of single-family residential development in the area, which is a mixture of one and two-story homes. Further the new single family residence is located on a .20 acre lot and the proposed project would not change the density with regard to the General Plan Land Use designation.

#### **LOCAL COASTAL PLAN CONSISTENCY**

The project site is located within the Coastal Zone and thus must be found consistent with the City's Local Coastal Plan (LCP), which implements the California Coastal Act. The project is in Component Two of the Local Coastal Plan (LCP), which is located between Arroyo Burro Creek and the westerly boundary of Santa Barbara City College. The LCP states that the primary land use of this area is single-family residential and has very limited additional development potential. The major coastal issues identified for Component Two include hazards of seacliff retreat and flooding, maintaining and providing public access, both vertically and laterally along the bluffs, preventing overuse of public facilities; protection of recreational access; protection of archaeological resources and the maintenance of existing coastal views and open space. The project site is not located on the coastal bluff and was not found to be archaeologically sensitive. Public views will not be affected because there are no public view corridors on the project side of the street. Therefore, the project is consistent with the applicable policies of the California Coastal Act and Local Coastal Plan, and all implementing guidelines.

#### **VII. FINDINGS**

Staff recommends that the Staff Hearing Officer approve the Modification for the window changes and the new dining room bay window as described below and the Coastal Development Permit subject to the findings outlined below and the conditions of approval contained in Exhibit A.

##### **A. MODIFICATION (28.87.160)**

The Staff Hearing finds that the requested modification allows the expansion of the dining room without adding excessive floor area. The window changes and the addition of the bay window would not affect the privacy of adjacent neighbors as they are facing the front yard along Shoreline Drive. Therefore, the modification for the window changes and the dining room bay window is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot as discussed in Section V.A. of the Staff Report.

The Staff Hearing does not approve the modification for the master bedroom encroachment as a conforming addition can be designed.

##### **B. COASTAL DEVELOPMENT PERMIT (SBMC §28.45.009)**

As discussed in Section VI.B. of this Staff Report, the project is consistent with the policies of the California Coastal Act, the City's Local Coastal Plan, all implementing guidelines, and applicable provisions of the Code because the new residence would be compatible with the existing neighborhood, would not be visible from the beach, would not impact views from public view corridors, would not impact public access, and would not contribute to safety or drainage hazards on the site and is not located on a coastal bluff or in an archaeological sensitivity zone.

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Exhibits:

- A. Conditions of Approval
- B. Reduced Site Plan
- C. Applicant's letter, dated August 12, 2009
- D. Applicant's letter dated October 28, 2009

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## STAFF HEARING OFFICER CONDITIONS OF APPROVAL

1660 SHORELINE DRIVE  
COASTAL DEVELOPMENT PERMIT  
NOVEMBER 18, 2009

In consideration of the project approval granted by the Staff Hearing Officer and for the benefit of the owner(s) and occupant(s) of the Real Property, the owners and occupants of adjacent real property and the public generally, the following terms and conditions are imposed on the use, possession, and enjoyment of the Real Property:

- A. **Recorded Conditions Agreement.** Prior to the issuance of any Public Works permit or Building permit for the project on the Real Property, the Owner shall execute *a written instrument*, which shall be reviewed as to form and content by the City Attorney, Community Development Director and Public Works Director, recorded in the Office of the County Recorder, and shall include the following:
1. **Approved Development.** The development of the Real Property approved by the Staff Hearing Officer on November 18, 2009, is limited to a 476 square foot one-story addition to an existing 2,099 square foot single-story, single family residence with an attached two-car garage (resulting in a 2,575 square foot single family residence) and the improvements shown on the site plan signed by the Staff Hearing Officer on said date and on file at the City of Santa Barbara.
  2. **Uninterrupted Water Flow.** The Owner shall provide for the uninterrupted flow of water onto the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate.
  3. **Storm Water Pollution Control and Drainage Systems Maintenance.** Owner shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc. ) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Owner shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and/or Coastal Development Permit is required to authorize such work. The Owner is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.
- B. **Public Works Requirements Prior to Building Permit Issuance.** The Owner shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.

1. **Water Rights Assignment Agreement.** The Owner shall assign to the City of Santa Barbara the exclusive right to extract ground water from under the Real Property in an *Agreement Assigning Water Extraction Rights*. Engineering Division Staff will prepare said agreement for the Owner's signature.
  2. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, urban water pollutants, or groundwater pollutants would result from the project. The Owner shall maintain the drainage system and storm water pollution control methods in a functioning state.
  3. **Shoreline Drive Public Improvements.** The Owner shall submit building plans for construction of improvements along the property frontage on Shoreline Drive. As determined by the Public Works Department, the improvements shall include the following: underground service utilities, and provide adequate positive drainage from site. Any work in the public right-of-way requires a Public Works Permit.
  4. **Removal or Relocation of Public Facilities.** Removal or relocation of any public utilities or structures must be performed by the Owner or by the person or persons having ownership or control thereof.
- C. **Community Development Requirements with Building or Public Works Permit Application.** The following shall be submitted with the application for any Building or Public Works permit and finalized prior to Building or Public Works Permit issuance:
- D. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.
1. **Grading Plan Requirement for Archaeological Resources.** The following information shall be printed on the grading plans:  
  
If archaeological resources are encountered or suspected, work shall be halted or redirected immediately and the Planning Division shall be notified. The archaeologist shall assess the nature, extent, and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash



representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Planning Division grants authorization.

2. **Post-Construction Erosion Control and Water Quality Plan.** Provide an engineered drainage plan that addresses the existing drainage patterns and leads towards improvement of the quality and rate of water run-off conditions from the site by capturing, infiltrating, and/or treating drainage and preventing erosion. The Owner shall employ passive water quality methods, such as bioswales, catch basins, or storm drain on the Real Property, or other measures specified in the Erosion Control Plan, to intercept all sediment and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) from the parking lot areas and other improved, hard-surfaced areas prior to discharge into the public storm drain system, including any creeks. All proposed methods shall be reviewed and approved by the Public Works Department and the Community Development Department. Maintenance of these facilities shall be provided by the Owner, as outlined in Condition A, above, which shall include the regular sweeping and/or vacuuming of parking areas and drainage and storm water methods maintenance program.
3. **Conditions on Plans/Signatures.** The final Staff Hearing Officer Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner	Date	
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

E. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Owner and/or Contractor for the duration of the project construction.

1. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.). The purpose of this condition is to help reduce truck traffic on adjacent streets and roadways.
2. **Haul Routes.** The haul route(s) for all construction-related trucks with a gross vehicle weight rating (GVWR) of three tons or more, entering or exiting the site, shall be approved by the Transportation Manager.
3. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below: (look at longer or shorter hours and Saturday construction, depending on project location)

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
Presidents' Day	3rd Monday in February
Cesar Chavez Day	March 31 <sup>st</sup>
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

\*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above

construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number that is answered by a person, not a machine.

4. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:
  - a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.
  - b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.
  - c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.
5. **Water Sprinkling During Grading.** The following dust control measures shall be required, and shall be accomplished using recycled water whenever the Public Works Director determines that it is reasonably available:
  - a. Site grading and transportation of fill materials.
  - b. Regular water sprinkling; during clearing, grading, earth moving or excavation.
  - c. Sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied on-site to prevent dust from leaving the site.
  - d. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
  - e. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement on-site damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.
6. **Expeditious Paving.** All roadways, driveways, sidewalks, etc., shall be paved as soon as possible. Additionally, building pads shall be laid as soon as possible after

grading unless seeding or soil binders are used, as directed by the Building Inspector.

7. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads.
8. **Street Sweeping.** The property frontage and adjacent property frontages, and parking and staging areas at the construction site shall be swept daily to decrease sediment transport to the public storm drain system and dust.
9. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.
10. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s) name, contractor(s) telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The construction contact phone number shall include an option to contact a person instead of a machine in case of emergency. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.
11. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
12. **Graffiti Abatement Required.** Owner and Contractor shall be responsible for removal of all graffiti as quickly as possible. Graffiti not removed within 24 hours of notice by the Building and Safety Division may result in a Stop Work order being issued, or may be removed by the City, at the Owner's expense, as provided in SBMC Chapter 9.66.
13. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the applicant shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a

Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

F. **Prior to Certificate of Occupancy.** Prior to issuance of the Certificate of Occupancy, the Owner of the Real Property shall complete the following:

1. **Repair Damaged Public Improvements.** Repair any damaged public improvements (curbs, gutters, sidewalks, roadways, etc.) subject to the review and approval of the Public Works Department per SBMC §22.60.090. Where tree roots are the cause of the damage, the roots shall be pruned under the direction of a qualified arborist.
2. **Complete Public Improvements.** Public improvements, as shown in the improvement/building plans, including utility service undergrounding and installation of street trees.
3. **Cross-Connection Inspection.** The Owner shall request a cross connection inspection by the Public Works Water Reclamation/Cross Connection Specialist if a pool, solar panels or spa is constructed.
4. **Existing Street Trees.** Submit a letter from a qualified arborist, verifying that the existing street tree(s) have been properly pruned and trimmed.

G. **Litigation Indemnification Agreement.** In the event the Planning Commission approval of the Project is appealed to the City Council, Applicant/Owner hereby agrees to defend the City, its officers, employees, agents, consultants and independent contractors ("City's Agents") from any third party legal challenge to the City Council's denial of the appeal and approval of the Project, including, but not limited to, challenges filed pursuant to the California Environmental Quality Act (collectively "Claims"). Applicant/Owner further agrees to indemnify and hold harmless the City and the City's Agents from any award of attorney fees or court costs made in connection with any Claim.

Applicant/Owner shall execute a written agreement, in a form approved by the City Attorney, evidencing the foregoing commitments of defense and indemnification within thirty (30) days of the City Council denial of the appeal and approval of the Project. These

commitments of defense and indemnification are material conditions of the approval of the Project. If Applicant/Owner fails to execute the required defense and indemnification agreement within the time allotted, the Project approval shall become null and void absent subsequent acceptance of the agreement by the City, which acceptance shall be within the City's sole and absolute discretion. Nothing contained in this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

**NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:**

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code.



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SCALE: 1" = 10'

THE INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE. DATE 01-22-2001 BY 60322 UCBAW

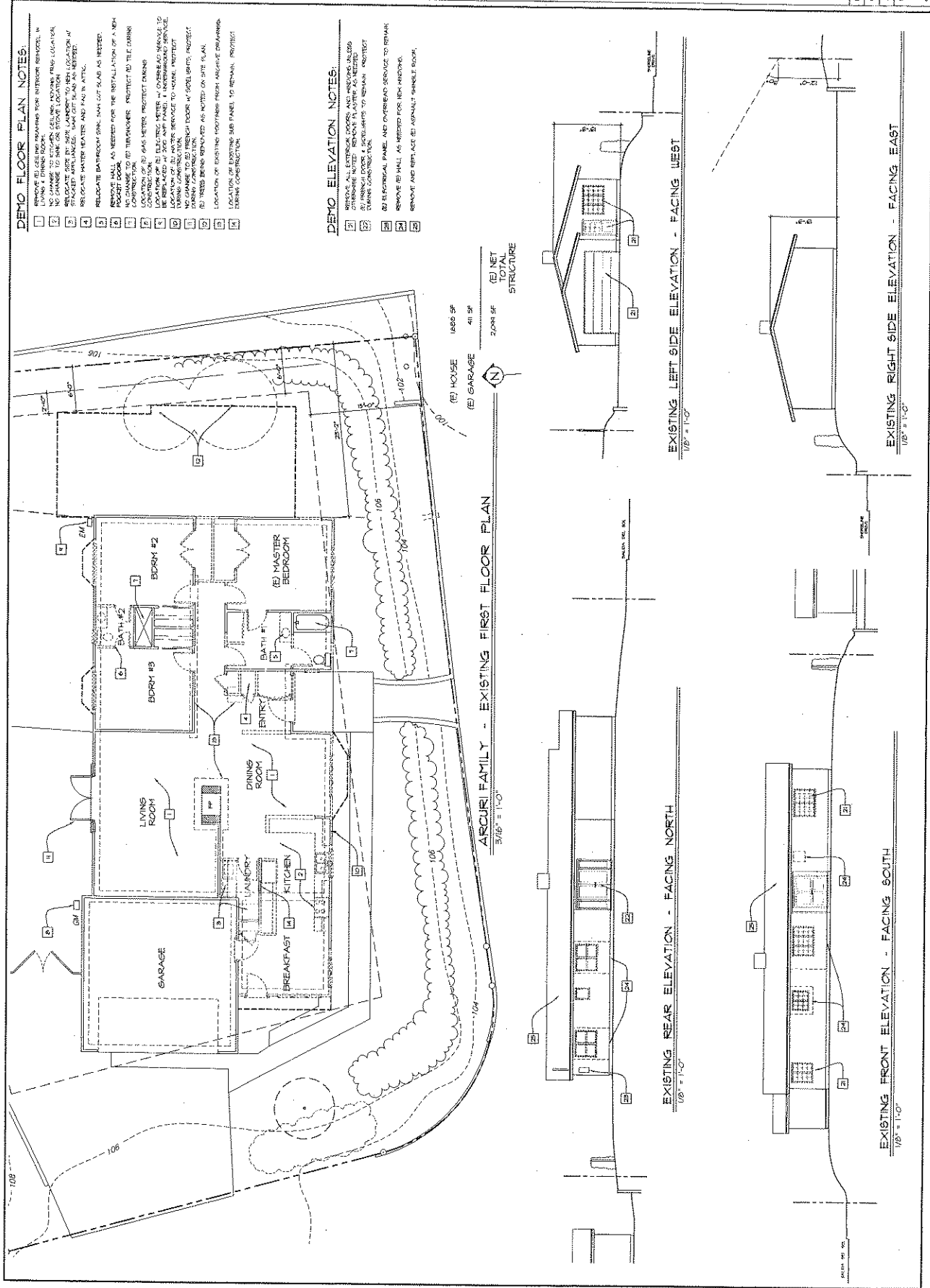
**QUESTION**

RECEIVED: JAN 24 1977

2022-2023

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Paul R. Zink, A.T.A.  
779 Calabria Drive  
Santa Barbara, CA 93105  
(805) 568-3909

[illegible]

**LEGEND:**

	OPEN TO WALL		INROOM
	TO 2nd FLOOR TO REMAIN		DOOR
	NEW 2nd FLOOR		

**FLOOR PLAN NOTES:**

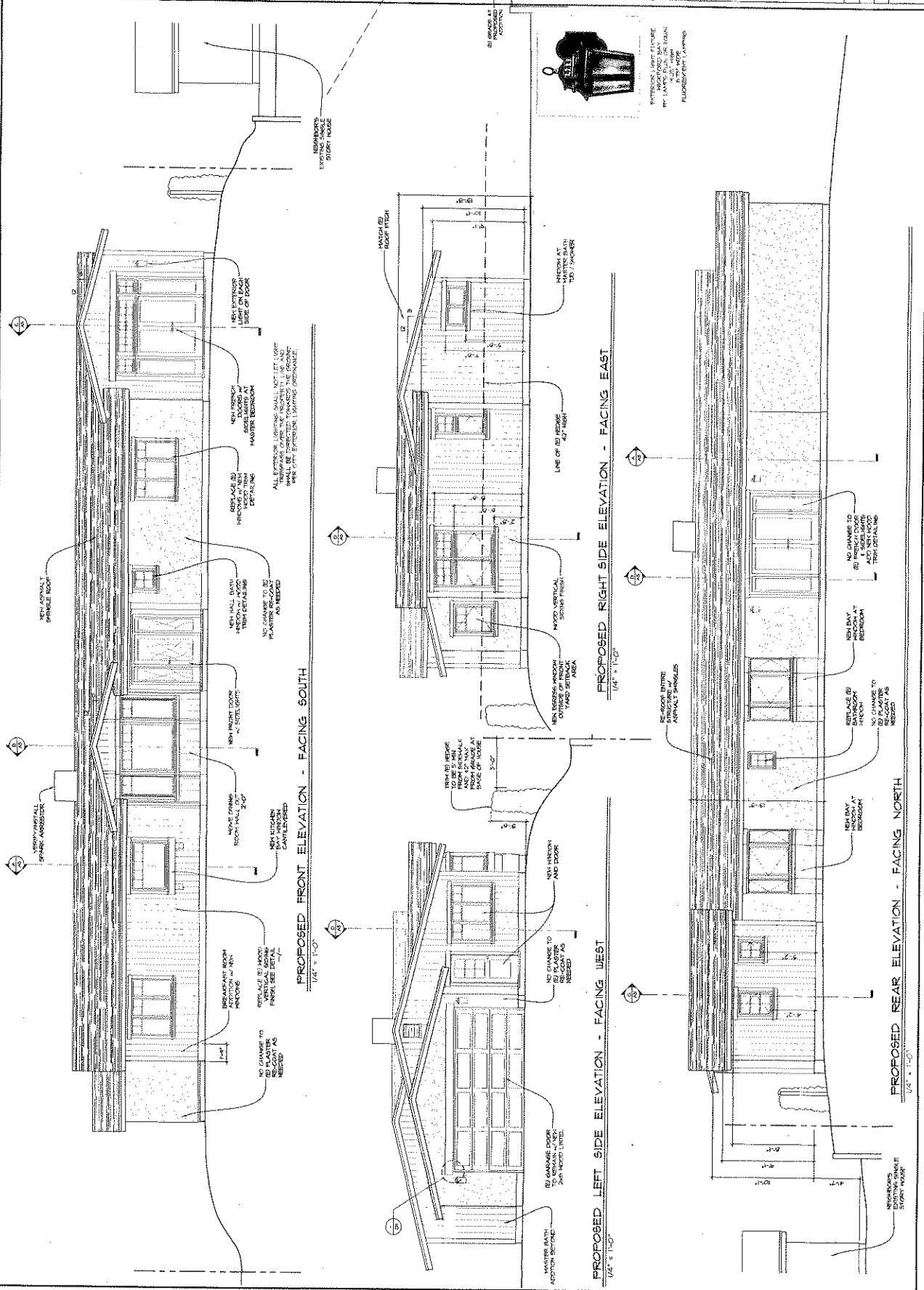
- 1 REMOVE 4 INROOM AS INROOM FIELD VENTILATES OUTSIDE AIR INTO CIRCULATING THE INROOMS.

**FLOOR PLAN NOTES:**

CRAIG & KARI ARCURI - EXISTING FIRST FLOOR PLAN

$$14^{\text{th}} = 1 - 0^{\text{th}}$$

(E) HOUSE	1660 SF	
ADDITION	476 SF	
(E) GARAGE	2164 SF	NEW HOUSE
	411 SF	
	2376 SF	NEW NET TOTAL STRUCTURE



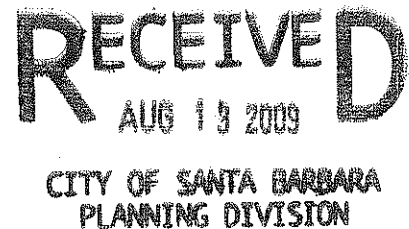
PAUL R. ZINK, AIA

779 Calabria Drive  
Santa Barbara, CA 93105  
(805) 569-3909  
zinkaia@aol.com

August 12, 2009

Planning Division  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

RE: Coastal Exclusion Application for 233 Las Ondas  
APN: 045-152-005  
Zoning E-3/SD-3



Dear Planning Staff,

We are requesting a coastal appealable jurisdiction 1 permit through the Staff Hearing Officer process to allow the construction of a 476 square foot first floor addition, and the interior remodel of 772 square feet to an existing 2,099 square foot single family residence with an attached two car garage. The proposed house will be 2,575 square feet. The lot size is 8,478 square feet and the proposed FAR will be .30 which is 77.6% of the allowable FAR. The project will not require SFDB review since the proposed size is less than 17' high, is not in the hillside district or has an average lot slope greater than 20%, and is a single story structure. The architectural style will blend with the existing house. There will be two new exterior light fixtures that are shown on the drawings.

The project has been designed to fall under the new fire sprinkler ordinance requiring mandatory fire sprinklers when the scope of work exceeds 75% of the original size of the house. I reviewed this project with Nicki at the Fire Department counter and Curtis with the Building Department and the new kitchen cabinets will not trigger additional square footage since the kitchen ceiling is to remain and the stove and sink will not be moving.

The existing house is a corner lot is a typical Santa Barbara neighborhood in the Mesa area. The house fronts on Shoreline Drive and experiences a lot of traffic noise from the road. We are replacing all windows with dual glazed sound windows to reduce this negative aspect. This work is not considered part of the fire department's 75% calculations since we are not altering the interior finish in these rooms. Only removing and replacing the windows.

This project will not involve the creation of smoke or odors other than the typical construction odors. This project will not involve the creation of new noise sources. We had a soils report for this project which is included in the submittal. We did not have any biological assessments with this project. We do not believe it is necessary. There are no recreational trails or easements on this property. There is a public road, Shoreline Drive, between the Pacific Ocean and our property.

There are no known hazardous materials on this site. The contractor will conduct an asbestos surveyor prior to demolition and remove any materials according to the report. We have sent a site plan to the Dept. of Conservation for them to search their records for any oils wells on the property. Once I receive a response back from them I will forward this on to the City.

The front portion of the property contains a steep hill. We are using the front yard setback deduction for lots with greater than 1' rise or fall of elevation within 5', Section 28.15.065. In 1986 there was an addition to his house that received a modification for a front yard encroachment of the roof overhang. This encroachment was using a 18' setback not 15' that is allowed today. We have shown on the roof plan that no roof overhangs shall extend greater than 2' into the setback area.

The existing house is Owner Occupied and the Owner plans to live off site during the construction. There will be two existing trees removed for this project; an 6" dia Lemon and a 4" dia Peach. There is currently a concrete stairway that extends from the front door to the sidewalk. The retaining wall along the stairs has a stone veneer that we are removing and replacing with plaster to match the retaining walls along the sidewalk. This work in the front setback area will not require design review since we are restoring the structure back to the original permitted condition. This should please most of the public who walk or drive past this stone work.

Currently there is a hedge along the two streets Shoreline Drive and Salida Del Sol. We plan to remove a portion of the hedge 20' from the driveway and install a 42" high wood fence to provide visibility from the driveway. We are not proposing to trim or alter the existing hedge at the corner of the property. There is ample viewing while traveling westbound on Shoreline Drive prior to turning right onto Salida Del Sol due to the bike lane and parallel parking along Shoreline Drive.

The Public Works Engineering Division will not be requiring Hydrology Calculations. I reviewed the project with Dave Shoemaker at the counter and the drainage for the site is remaining the same and we are improving the off site drainage discharge which currently drains over the sidewalk to a new face of curb discharge. The increase of impermeable area from the addition is less than 500 square feet. We are removing the existing non-permeable driveway area of 1,600 square feet and replacing this with permeable pavers. This will reduce the sheet flow of water to the street.

There will be no grading required for this project. We have completed a Soils Report and will be using screw tie anchoring system to support the foundation of this house. We will also be installing retrofit screw tie anchors to the South perimeter footing to prevent any further settlement. This work is outside of the interior of the house and is not included in the fire department's 75% calculations.

The construction time period for this proposed work will be between six (6) to nine (9) months. Rain is the biggest factor in determining the schedule. The construction crew will vary from one to no more than 10 people a day. There is currently ample public parking on both sides of Shoreline Drive and Salida Del Sol that is accessible to the construction crew. The construction staging area will be located in the driveway of the existing house.

If you have any questions please call 805-569-3909.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul R. Zink", written in a cursive style.

Paul R, Zink, AIA

## PAUL R. ZINK, AIA

779 Calabria Drive  
Santa Barbara, CA 93105  
(805) 569-3909  
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October 28, 2009

Planning Division  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

RE: Modification Application for 1660 Shoreline Drive  
APN: 045-152-005  
Zoning E-3/SD-3

Dear Planning Staff,

Even though there is no 'human error' hardship listed for the findings necessary to grant a modification it is important to state the steps that lead this project to the Staff Hearing Officer for consideration. On June 22, 2009 the project architect went to the planning counter with a surveyed site plan and asked about the setbacks for this parcel. The counter staff informed the architect about a provision in the zoning ordinance that allowed for a 5'-0" reduction in the front yard setback when half of the front slope was greater than 1:5. In the discussion, the front half being half of the front width and not the front half being measured from front to the middle of the site. Elevations numbers on the site plan were circled during the discussion noting the steep slope at the front of the property along Shoreline Drive. The counter staff never made reference to a City Memorandum dated May 2, 2006 discussing how the average slope of the property is determined in order to utilize the reduction. On August 13, 2009 the project was submitted for the DART review and on September 11, 2009 the project was deemed complete allowing the project to be scheduled for the Staff Hearing Officer review on November 4, 2009.

City staff contacted the project architect on October 19, 2009 requesting additional information about the front yard reduction. A request was made to determine the site slope using the methodologies indicated in the May 2, 2006 memo. The architect is familiar with these calculations having done these to indicate that a site's average slope is less than 20% to be exempted from ABR review. When the architect did the calculation for the average slope, the calculation was for the entire site which produced a number less than 20% but this was expected due to the flat portion of the site where the house and usable backyard are located. On October 22, 2009 the architect was informed that the 5'-0" front yard setback reduction that was utilized for the design would not be allowed and that a modification would be necessary if the project was to remain as designed.

It is important to note that the determination that a modification would be necessary was told to the project team after the project was deemed complete. The architect started structural drawings for the project thinking that the Staff Hearing Officer review for the Coastal Development Permit was procedural. There was no concern from the neighbors and no worry from the architect's perspective that the project would not be approved by the Staff Hearing Officer.

The project at 1660 Shoreline Drive has been designed to be a modest improvement to the existing house. The addition is less than 500 square feet and is single story. The proposed ridge line equals the existing ridge line. The project involves an interior remodel in which the Living Room ceiling will be vaulted and the Kitchen will be upgraded. All the existing windows in the house will be replaced with energy efficient glazing and sound control glass for the windows along Shoreline Drive. The entire amount of work to the house will be less than the 75% of the existing size of the house so that the fire sprinklers would not be required. These calculations were shown on the drawings reviewed during the DART process.

The existing site has two (2) front yard setbacks of 20'-0". The existing house is not parallel to the property line with the setback varying from 13'-3" to 21'-9". A majority of the house is built in the setback. A licensed survey was completed for this project before any design work was started.

We are requesting one modification to allow for the following improvements to the existing house within the front yard setback.

- Enlarging the existing Kitchen window. It is designed as a bay window not adding any additional square footage.
- New Dining Room bay window addition that is 15'-2" from the front property line and represents 17.4 square foot encroachment into the front yard setback beyond the existing house.
- Moving the Hall Bathroom window from a wall facing the front door entry nook to the front elevation facing the street.
- Adding a new window to Bedroom #4 to provide a view toward the harbor.
- Master Bedroom addition that will have a 35.4 square feet extending into the front setback.

Section 28.15.065 of the zoning ordinance recognizes that a hardship exists for lots with half of the front slope greater than 20%. When applying the calculations from the May 2, 2006 memo to this parcel, an average front slope is 17.4%. Less than 20%, but more than 15% or even 16%. We believe that if a physical hardship exists for a parcel with slopes greater than 20%, when the two front yard setbacks are considered with the 17.4% slope, a hardship exists on this parcel. The Staff Hearing Officer can make the findings to allow for the 5' reduction to the front yard setback.

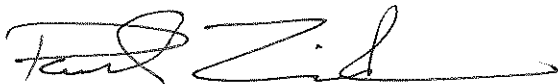
We want to stress again that we did not begin this journey with asking for a modification to design a large house or to solve a design challenge. The designed the improvements are 77.6% of the allowable FAR for this property and equal to the height of the existing ridge at 13'-3". For the community benefit we are willing to add the following conditions to the Staff Hearing Officer's approval:

1. The development of the subject parcel shall remain below 85% of the City's allowable Floor Area Ratio for a period of 15 years from the date of this agreement.
2. All improvements to the property shall remain under 17'-0" measured from grade for a period of 15 years from the date of this agreement.
3. All modifications on the subject parcel shall be null and void if the existing house is demolished.

We believe that this project would be an improvement to the City's visual character along one of the City's important scenic corridors, Shoreline Drive. We believe that the modification being requested is consistent with the intent of the zoning ordinance given the constraints associated with this property. The modification allows for enhanced architectural character to an existing non-conforming structure and a minor encroachment to maintain the existing useable open area on the property.

If you have any questions please call 805-569-3909.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul R. Zink", with a long horizontal flourish extending to the right.

Paul R. Zink, AIA